

## **R E M A R K S**

Claims 1-6 are pending in the application. Claims 3-6 have been added. Support for claims 3-6 may be found on page 4, lines 19-24 and page 17, line 13 through page 18, line 4 of the specification. In addition, the specification has been amended to make some minor grammatical improvements. No new matter has been added by way of the above amendments.

### **Consideration of Information Disclosure Statement**

The Examiner indicates that the Information Disclosure Statement filed on July 15, 2004 failed to comply with 37 C.F.R. §1.98(a)(2) which requires a legible copy of all foreign patent documents etc. Attached hereto is an additional copy of JP 2000-052634, which was submitted to the USPTO with the IDS of July 15, 2004. Also attached hereto for the convenience of the Examiner is an English language abstract and a computer generated English translation of the reference. Consideration thereof and return of the initialed PTO Form-1449 are respectfully requested.

### **Rejections under 35 U.S.C. 103**

Claims 1 and 2 have been rejected under 35 U.S.C. §103 as being obvious over Garner et al. (US '031) combined with Vermeersch (EP '494). Vermeersch (EP '494) is relied on for generally teaching on-press development lithographic printing. Garner et al. (US '031) is relied on for teachings the operation of the dampening roller and plate roller at different speeds. The Examiner asserts that it would be obvious to operate the dampening roller and plate roller in Vermeersch et al. at different speeds based on the teachings in Garner et al. (US '031). Applicants traverse this rejection and withdrawal thereof is respectfully requested.

#### **Prior art teachings**

Garner et al. describes the operation of a dampening roller and a plate cylinder at different speeds, with the purpose of cleaning off hickies (hicckeys) (see Abstract, col. 5 line 66 –

col. 6, line 2, and col. 12, lines 22-27). The term “hickey” in Garner et al. means a foreign matter, such as dried ink film or dirt. This meaning in the reference is derived from the general definition of “hickey” in the field of the invention as meaning “a spot or imperfection in a printed item caused by a foreign matter such as dried ink film or dirt attaching to the surface of the plate or blanket”. In addition, the process and apparatus used in Garner et al. is based on a general plate and not on an on-machine development plate. The above operation is thus done with the printing step.

*The instant invention and differences from the reference teachings*

As noted above, the operation of Garner et al. to remove hickies is done during the printing step. The invention as described in claims 1 and 2 of the present application uses an on-machine development plate and removes the image recording layer by contacting with the dampening roller and/or form roller, which has a surface speed differing from the surface speed of the plate. Thus, with the present invention this operation is done in the development step.

The present invention which entails contacting with the dampening roller and/or form roller which has a surface speed differing from the surface speed of the plate (i.e., removing the image recording layer) in the development step, cannot be achieved by simply combining Garner et al. and Vermeersch, which teaches that a plate can be developed by dampening water and/or ink.

With regard to claims 3-6, Garner et al. is based on a general plate and not on an on-machine development plate, thus, the reference does not describe that the dampening roller and/or form roller has different speeds in the development step and the printing step, as described in claims 3-6 of the present application.

The present invention as instantly claimed cannot therefore be achieved from the combined teachings of Garner et al. and Vermeersch. Withdrawal of the rejection is therefore respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: NOV 22 2005

Respectfully submitted,

By Mary Anne Armstrong  
MaryAnne Armstrong, Ph.D.  
Registration No.: 40,069  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Attachment: JP 2000-052634 with English Abstract and computer translation